

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In re:

BOSTON HOSPITALITY GROUP, INC.

Debtor.

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CASE NO. 17-bk-_____

Chapter 11

**DEBTOR'S MOTION FOR ORDER DIRECTING PROCEDURAL
CONSOLIDATION AND JOINT ADMINISTRATION OF CASES**

TO THE HONORABLE PATRICK M. FLATLEY, U.S. BANKRUPTCY JUDGE:

Boston Hospitality Group, Inc. and the related subsidiaries Beanery Investment Group, Inc.; Boston Restaurants - PA, Inc.; and Beanery 119, LLC (collectively, "Debtors") filed voluntary petitions for relief under Chapter 11 of the Bankruptcy code.

Introduction

1. Boston Hospitality Group, Inc., the parent company, and its subsidiaries Beanery Investment Group, Inc.; Boston Restaurants - PA, Inc.; and Beanery 119, LLC (collectively, "Debtors") filed voluntary petitions for the relief under Chapter 11 of the Bankruptcy code on July 1, 2017.

2. This court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue of these cases and this motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157 (b)(2).

3. The Debtors manage their properties and operate their business as debtors in possession pursuant to 11 U.S.C. §§ 1107 and 1108. No trustee or examiner has been requested or appointed in these cases and no committee is currently constituted.

Factual Background

4. The principal operations of the Beanery Investment Group, Inc.; Boston Restaurants - PA, Inc.; and Beanery 119, LLC consist of operating restaurants. Boston Hospitality Group, Inc. leases the real estate and some equipment to each of the restaurants.

5. Boston Hospitality Group, Inc. is the parent corporation of Beanery Investment Group, Inc.; Boston Restaurants - PA, Inc.; and Beanery 119, LLC. Each of the Debtors does business with each other at various times. Moreover, the Debtors have a common secured creditor who holds liens on various assets in their respective estates.

Relief Requested

6. By this motion, the Debtors respectfully request that the Court enter an Order directing consolidation and joint administration of these Chapter 11 cases, for procedural purposes only, pursuant to Section 105(a) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 1015(b). The Debtors are “affiliates” as that term is defined in § 101(2) of the Bankruptcy Code and their estates are eligible for joint administration.

7. The joint administration of these Chapter 11 cases, including the combining notices to creditors and the hearing of all matters related to the Debtors at the time, will save the Debtors and their creditor considerable burden and expense. Absent the relief requested, the Debtors would be required to file duplicative pleadings and notices with respect to each of the Debtors, causing wastes of resources. Indeed, many, if not all, of the motions, applications, hearings, and orders in these cases will affect each of the Debtors.

8. No party-in-interested will be prejudiced, and no substantive rights of any party-in-interest will be affected, by the granting of the relief requested. In fact, the rights of all creditors will be enhanced, as these cases will be easier to monitor.

9. The effect of the joint administration and procedural consolidation would not serve to consolidate assets or claims as to any of the Debtors or their bankruptcy estates. The relief requested would have the following modifications in the administration of the case:

- (a) Use of common mailing matrix for all notices in any of the Debtors' cases;
- (b) Appointment of only one Official Committee of Unsecured Creditors, (if any is in fact formed), to the extent sufficient creditors seeks participation on the committee;
- (c) Filing of a consolidated monthly operating report, which will contain separate disclosure of cash receipts and disbursements by the various Debtors; and
- (d) Filing of consolidated plan of reorganization and disclosure statement.

WHEREFORE, Boston Hospitality Group, Inc. respectfully requests entry of an order approving procedural consolidation and joint administration of the Debtors' bankruptcy cases as set forth in this motion.

BOSTON HOSPITALITY GROUP, INC.
By Counsel,

JOHNSON LAW, PLLC

s/ Todd B. Johnson

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